

**In the  
Indiana Supreme Court**

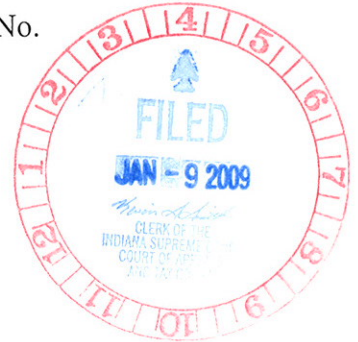
STATE OF INDIANA *ex rel.*  
Jeffrey HINDS,  
Relator,

v.

THE DELAWARE CIRCUIT COURT  
NO. 3 and THE HONORABLE BRIAN D.  
HUTCHISON, as Special Judge thereof,  
Respondents.

) Supreme Court Cause No.  
) 18S00-0812-OR-621  
)  
)  
)  
)

) Trial Court Cause No.  
) 18C03-0802-FC-5  
)



ORDER

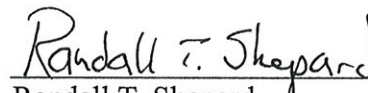
This matter has been pending before the Court on Relator's petition for writ of mandamus and prohibition. The Special Prosecutor has filed a supplemental record of proceedings and a brief opposing issuance of the writ.

Each Justice has had an opportunity to review the petition and the other materials filed in this action. The Court has met in conference and discussed Relator's request for relief. All five Justices have voted to deny the writ.

Accordingly, the Court DENIES the petition for writ of mandamus and prohibition. Motions to reconsider or petitions for rehearing are not allowed. Ind. Original Action Rule 5(C).

The Clerk is directed to send a copy of this order to the Honorable Brian D. Hutchison, c/o the Delaware Circuit Court No. 3, 100 W. Washington St., Muncie, IN 47305; Special Prosecutor James Luttrull, Jr., Grant County Courthouse, Room 107, 101 E. Fourth Street, Marion, IN 46952; Louis W. Denney, 120 N. Walnut Street, Muncie, IN 47305; and Steve Carter, Attorney General of Indiana.

Done at Indianapolis, Indiana, this 9<sup>th</sup> day of January, 2009.

  
Randall T. Shepard  
Chief Justice of Indiana

All Justices concur.